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10/706,023	11/12/2003	Keiichi Sakano	MAT-8483US	6208

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EXAMINER	
DUNN, MISHAWN N	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/706,023	SAKANO, KEIICHI	
	Examiner	Art Unit	
	MISHAWN DUNN	2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *01 April 2008*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-8 and 10-20* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-8 and 10-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *12 November 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1-20 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1, 4-5, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over by Inoue (US Pat. No. 6,628,889) in view of Takano (US Pub. No. 2001/0038742).

Consider claim 1. Inoue discloses an editing apparatus (fig. 1) comprising: a material storage (disc unit 1700, fig. 29) for storing a material (video data) (col. 19, lines 49-53); a material capture unit (entire system control 1300, editing device 14, fig. 29) for taking in a material (video data) from first external media (digital video cassette 12, fig. 1) to said material storage (disc unit 1700, fig. 29) (col. 19, lines 46-54); a material output unit (1300, 14) for sending the material (video data) stored in said material storage (1700) to second external media (master tape cassette 2200, fig. 1) (col. 22, lines 34–50, editing of the data from (1700) is carried out prior to recording the data on the external recording section which is part of the editing device 14; col. 19, line 43 – col. 22, line 33); and a material information management unit (1300, operating section

1100, fig. 29) for managing external media information including: (col. 15, lines 18-21). material area information showing storing position of the material (video) in said material storage (1700) (col. 19, lines 66-67; col. 20, lines 1-2), wherein said material information management unit (1300, 1100) has an external media information store region (extra storage unit 1309, fig. 30) for storing the external media information (col. 15, lines 42–67; col. 16, lines 1–6).

Inoue does not teach a material identifier identifying the material stored in the material storage, media identification information for identifying the first external media, media identification information for identifying the second external media, and the information specifying the respective storing places of the material in the first and second external media and the media identification information for identifying the first and second external media correspond to the material identifier and the storing position of the material in said material storage.

However, Takano teaches a material identifier identifying the material stored in the material storage, media identification information for identifying the first external media, media identification information for identifying the second external media, and the information specifying the respective storing places of the material in the first and second external media and the media identification information for identifying the first and second external media correspond to the material identifier and the storing position of the material in said material storage (paras. 0013 and 0125).

Therefore, it would have been obvious to one with ordinary skill in the art, at the time the invention was made to use, to provide a material identifier identifying the

material stored in the material storage, media identification information for identifying the first external media, media identification information for identifying the second external media, and the information specifying the respective storing places of the material in the first and second external media and the media identification information for identifying the first and second external media correspond to the material identifier and the storing position of the material in said material storage, in order to easily edit and manage stored material.

4. Consider claim 4. Inoue teaches an editing apparatus wherein the first external media is a magnetic tape (12); and wherein the second external media is at least one of magnetic tape (master tape cassette 2200).

5. Consider claim 5. Inoue teaches an editing apparatus wherein the material includes at least one of video and audio (see col. 10, line 1); and wherein the external media information includes at least one of reel number (R1, R2, fig. 6) and time code (hour, minute, second, fig. 8) of the magnetic tape when the first external media (digital video cassette 12, fig. 1) is magnetic tape or the second external media is magnetic tape (master tape cassette 2200, Fig. 1) (col. 9, lines 4-7 and 29–34).

6. Claim 20 is rejected using similar reasoning as the corresponding claim above.

7. Claims 2, 3, and 10–13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Inoue (US Pat. No. 6,628,889) in view of Takano (US Pub. No. 2001/0038742) in further view of Official Notice.

8. Consider claim 2. Inoue and Takano teach all claimed limitations as stated above, except the external media information store region including another original external media information store region for storing the information of the original media from which the material is taken.

However, the Examiner takes official notice that it is old and well known in the art to create a secondary storage for storing content that has already been stored.

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate including an original external media in the external media which includes another external original media in order to keep a backup of the original external media information as data gets edited.

9. Consider claim 3. Inoue taches an editing apparatus wherein said material information management unit (1300, 1100) stores the external media information of the first external media (12) in external media storage region (1309) when said material capture unit (1300, 14) captures the material from the first external media (12) (col. 16, lines 19–22); and wherein the material information management unit (1300, 1100) stores the second external information (edited video content; col. 21, line 50 - col. 22 line 34) different from the first external media (1700) into the external media information store region (external recording medium 1309, fig. 1) when said material output unit (1300,14) sends out the material (video data) stored in the material storage (1700) into the second external media (2200) (fig. 30; col. 15, lines 42–67; col. 16, lines 1–6; col. 21, lines 50–67;col. 22, lines 1–50).

Inoue, nor Takano, teaches an editing device wherein an information management unit includes an original external media information store region which is separate from the external media information store region.

However, the Examiner also takes official notice that it is old and well known in the art to add a second external information store region which is different from the first external media information store region.

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate a material information management unit including one additional original external media information store region in order to keep a backup copy of the original external media information as the data gets edited.

10. Consider claim 10. Inoue teaches an editing apparatus wherein the first external media is a magnetic tape (12); and wherein the second external media is at least one of magnetic tape (master tape cassette 2200).

11. Consider claim 12 Inoue teaches an editing apparatus wherein the material includes at least one of video and audio (see col. 10, line 1); and wherein the external media information includes at least one of reel number (R1, R2, Fig. 6) and time code (hour, minute, second, Fig. 8) of the magnetic tape when the first external media (digital video cassette 12, Fig. 1) is magnetic tape or the second external media is magnetic tape (master tape cassette 2200, Fig. 1) (see col. 9, lines 4 -7 and 29 – 34).

12. Claims 11 and 13 are rejected using similar reasoning as the corresponding claims above.

13. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Inoue (US Pat. No 6,628,889) in view of Takano (US Pub. No. 2001/0038742) in further view of Flannagan et al. (US Pat. No 5,119,291).

14. Consider claim 6. Inoue teaches an editing apparatus wherein the material includes at least one of video and audio (see col. 10, line 1).

Inoue, nor Takano, teaches an editing apparatus wherein the external media information includes at least one of volume label, sector position and file path of the optical disk when the first external media is optical disk or the second external media is optical disk.

Flannagan, from the same field of endeavor, teaches an external media information including volume label and sector position when the recording medium is optical disk (optical disk 20) (fig. 2, col. 5, lines 22–23, col. 7, lines 8–18; col. 28, lines 4-7).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate external media information that includes volume label and sector position of the optical disk when the first external media is optical disk or the second external media is optical disk in order to identify contents and their address for search and reproduction purposes.

15. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Inoue (US Pat. No. 6,628,889) in view of Takano (US Pub. No. 2001/0038742) in further view of Purcell et al. (US Patent Number 7,275,126).

16. Consider claim 7. Inoue teaches an editing apparatus wherein the material includes at least one of video and audio (col. 10, line 1).

Inoue, nor Takano, teaches an editing apparatus wherein the external media information includes at least one of information of memory bank, memory address and file path of the semiconductor memory when the first external media is semiconductor memory or the second external media is semiconductor memory.

Purcell, from the same field of endeavor, teaches an external media wherein the external media information includes memory bank (memory bank 1408) when the medium is semiconductor memory (col. 19, lines 50 – 54).

Therefore it would have been obvious to one of ordinary skill at the time of the invention to incorporate a memory bank as external media information when the external media is a semiconductor in order to identify memory locations when accessing.

17. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Inoue (US Pat. No. 6,628,889) in view of Takano (US Pub. No. 2001/0038742) in further view of Chong Jr. et al. (US Pat. No. 7,130,973).

Consider claim 8. Inoue teaches an editing apparatus wherein the material includes at least one of video and audio (col. 10, line 1).

Inoue, nor Takano, teaches an editing apparatus wherein the external media information includes ID information, logic address and file path of the network appliance when the first external media is network appliance or the second external media is network appliance.

Chong, from the same field of endeavor, teaches an external media information including logic address when the medium is network appliance (remote storage device) (col. 3, lines 37-44; col. 6, lines 2-8).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate logic address as external media information when the external media is network appliance in order enable locating and retrieving of data.

18. Claims 14 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Inoue (US Pat. No. 6,628,889) in view of Takano (US Pub. No. 2001/0038742) in further view of Official Notice in further view of Flannagan et al. (US Pat. No. 5,119,291).

19. Consider claim 14. Inoue teaches an editing apparatus wherein the material includes at least one of video and audio (col. 10, line 1).

Inoue, nor Takano, teaches an editing apparatus wherein the external media information includes at least one of volume label, sector position and file path of the optical disk when the first external media is optical disk or the second external media is optical disk.

Flannagan, from the same field of endeavor, teaches an external media information including volume label and sector position when the recording medium is

optical disk (optical disk 20) (fig. 2, col. 5, lines 22–23, col. 7, lines 8–18; col. 28, lines 4-7).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate external media information that includes volume label and sector position of the optical disk when the first external media is optical disk or the second external media is optical disk in order to identify contents and their address for search and reproduction purposes.

20. Claim 15 is rejected using similar reasoning as the corresponding claim above.

21. Claims 16 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Inoue (US Pat. No. 6,628,889) in view of Takano (US Pub. No. 2001/0038742) in further view of Official Notice in further view of Purcell et al. (US Pat. No. 7,275,126).

22. Consider claim 16. Inoue teaches an editing apparatus wherein the material includes at least one of video and audio (col. 10, line 1).

Inoue, nor Takano, teaches an editing apparatus wherein the external media information includes at least one of information of memory bank, memory address and file path of the semiconductor memory when the first external media is semiconductor memory or the second external media is semiconductor memory.

Purcell, from the same field of endeavor, teaches an external media wherein the external media information includes memory bank (memory bank 1408) when the medium is semiconductor memory (col. 19, lines 50 – 54).

Therefore it would have been obvious to one of ordinary skill at the time of the invention to incorporate a memory bank as external media information when the external media is a semiconductor in order to identify memory locations when accessing.

23. Claim 17 is rejected using similar as the corresponding claim above.

24. Claims 18 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Inoue (US Pat. No. 6,628,889) in view of Takano (US Pub. No. 2001/0038742) in further view of Official Notice in further view of Chong Jr. et al. (US Pat. No. 7,130,973).

Consider claim 18. Inoue teaches an editing apparatus wherein the material includes at least one of video and audio (col. 10, line 1).

Inoue, nor Takano, teaches an editing apparatus wherein the external media information includes ID information, logic address and file path of the network appliance when the first external media is network appliance or the second external media is network appliance.

Chong, from the same field of endeavor, teaches an external media information including logic address when the medium is network appliance (remote storage device) (col. 3, lines 37-44; col. 6, lines 2-8).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate logic address as external media information when the external media is network appliance in order enable locating and retrieving of data.

25. Claim 19 is rejected using similar reasoning as the corresponding claim above.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MISHAWN DUNN whose telephone number is (571)272-7635. The examiner can normally be reached on Monday - Friday 7:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thai Tran can be reached on (571)272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/MISHAWN DUNN/
Examiner, Art Unit 2621
July 6, 2008

/Thai Tran/
Supervisory Patent Examiner, Art Unit 2621